

MINUTES OF THE SPECIAL JOINT CITY COUNCIL  
AND BOARD OF EDUCATION MEETING  
THURSDAY- -MAY 19, 2011- -6:00 P.M.

Mayor Gilmore convened the meeting at 6:09 p.m.

ROLL CALL – Present: Councilmembers Bonta, deHaan, Johnson, L. Tam and Mayor Gilmore; Board Members McMahon, Sherratt, Spencer and President Mooney – 9.

[Note: Councilmember Johnson arrived at 6:10 p.m. and left at 6:46 p.m.]

Absent: Board Member N. Tam – 1.

ORAL COMMUNICATIONS, NON-AGENDA

None.

AGENDA ITEMS

(11-268) Discussion of Pools

The School District Chief Business Officer Robert Shemwell gave a Power Point presentation.

In response to Councilmember deHaan's inquiry regarding costs incurred to bring the pools back on line, Mr. Shemwell responded \$12,000 was spent on consultant fees; stated Aquatic Design completed a needs assessment and reached a solution with the County; \$18,000 was spent on plumbing repairs; additional funds were spent on equipment, such as covers and lane markers.

The Acting City Manager stated about \$80,000 was spent; the City paid the full bill; the District reimbursing the City for a portion is under discussion.

In response to Vice Mayor Bonta's inquiry about Emma Hood estimates, Mr. Shemwell stated the amount is for pool replacement only.

Following School Board discussion, Mayor Gilmore stated a capital infusion would have to be addressed as part of the City's budget discussions; guidance cannot be given at this point; the City does not have funds in the event of a problem, such as a filter failure.

Councilmember deHaan stated the County would come back to check the facilities; inquired whether the cost to bring the pools into compliance is known.

Mr. Shemwell responded slide 4 reflects the minimum upgrades [Emma Hood:

\$1,091,000; Encinal: \$1,433,000].

Councilmember deHaan inquired whether the County has identified items that need to be fixed, to which Mr. Shemwell responded the County has not come out and identified items to be repaired; stated the County could come out at any time and direct that any outstanding compliance issues have to be repaired.

Councilmember deHaan inquired whether the School District bond measure included any operational or capital funding for pools, to which Mr. Shemwell responded in the negative.

Councilmember deHaan stated liability has been discussed; inquired whether both parties are comfortable regarding liability issues, to which Mr. Shemwell responded in the affirmative around the particular drain issues.

Following School Board discussion, Councilmember Tam questioned whether slide 3 amounts on operation and maintenance for both swim centers show payments are closer to a 50-50 split, rather than the agreed upon 60-40 split.

Mr. Shemwell responded the agreement expired in 2000; stated the pools have been operating on a handshake agreement to continue the 60-40 split; the School District has taken on utility costs and has been billed for 60% of the City expenses.

Councilmember Tam inquired whether the District has paid 47% and the City has paid 53% since the Agreement expired, to which Mr. Shemwell responded in the negative; stated the School District took on the utilities and has been billed for operational costs in the last two or three years.

The Recreation and Park Director stated the 60-40 split was occurring for both operations and utilities until two years ago when the District staff could not determine whether the meters were separate and agreed to discontinue billing the City for utilities until the matter could be resolved.

In response to Councilmember deHaan's inquiry regarding the division of use from 3:00 p.m. to 10:00 p.m., the Recreation and Park Director stated figures are based on the total hours of operations; during the summer, pools are used from 6:00 a.m. to 10:00 p.m.; use is: 25% for School District programs, such as swimming and water polo, 25% for City programs, such as Swim to Live, and 50% for a variety of non-profits, including children swim teams and adult masters swim.

The Acting City Manager noted the City sponsored programs are during the summer and on Saturdays.

Vice Mayor Bonta stated since the City and School District both have 25% of the use and the remaining 50% is the community, one fair suggestion would be splitting the

community use down the middle between the City and School District, so that the City and School District each pays 50%; the fee structure could also be reviewed to get more help from the community while keeping the cost reasonable.

Board Member McMahon stated that he supports the suggestion as long as the School District shares in the revenue.

Mayor Gilmore inquired whether said money goes into the pools, to which the Recreation and Park Director responded the revenue offsets expenses.

Following School Board discussion, Mayor Gilmore requested confirmation that roughly \$350,000 is needed to operate the pools for one year, which does not include any capital.

The Recreation and Park Director confirmed Mayor Gilmore is correct.

Mayor Gilmore stated a short-term agreement would only address operating money and splitting operation costs; neither agency has funds for capital expenditures.

Board Member Sherratt requested information be provided on current fees paid.

Councilmember deHaan inquired whether reserves have ever been set up, to which the Recreation and Park Director responded in the negative.

In response to Councilmember deHaan's inquiry about how emergencies have been handled in the past, the Recreation and Park Director stated costs were absorbed into the operating budget for the year.

The Acting City Manager stated funds for the repairs last fall came out of the City Manager contingency budget.

Mr. Shemwell noted the same is true for the School District.

Councilmember deHaan stated the School District wants pools to continue serving schools and the City wants to continue servicing recreation; a 50-50 split is more than adequate.

President Mooney stated capital is being excluded; that he does not have a problem with a 50-50 split.

Mayor Gilmore concurred; stated the Council and School Board Subcommittee discussed asking user groups to pay more; raising fees should come back.

In response to the Acting City Manager's request, the Recreation and Park Director stated groups pay about \$14 per hour; private colleges charge over \$100 per hour and

completely recover costs.

Councilmember Tam inquired how the \$14 per hour fee was established, to which the Recreation and Park Director responded the amount is up from \$3 per hour.

Board Member Spencer inquired whether school hours are included in the District's 25%, to which the Recreation and Park Director responded in the affirmative.

Board Member Spencer questioned why the School District should pay for community groups.

Mayor Gilmore stated the swim teams are for Alameda school students not old enough to join high school teams and adults who pay taxes; further stated the City has specific programs during the summer, which makes up the City's 25% use; other than scheduling, the City is not involved with the other groups.

Councilmember deHaan stated the community should continue to be served when the pools are not in use; letting the asset go dormant would cost the same.

Mayor Gilmore concurred; stated costs do not go down if the pools are not used [by community groups].

Board Member McMahon agreed with the 50-50 split.

Councilmember deHaan suggested some funds be put into a contingency.

Mayor Gilmore stated the matter would have to be addressed in budget discussions; the City should not make promises it cannot keep.

Councilmember deHaan concurred; stated that he does not get overly concerned about \$20,000.

President Mooney summarized the Board direction.

The Acting City Manager stated that she has heard consensus that the Council is interested in a 50-50 split; the capital issue would be addressed as part of the budget; the unresolved issue is what to do in the event of a catastrophe and the tolerance level; the Mayor suggested the matter be addressed as part of the budget; the question cannot be answered tonight.

President Mooney stated the same is true of the School District.

Councilmember Tam inquired whether the contingency exposure could be nailed down prior to budget meetings.

The Acting City Manager responded that she does not know if the amount can be determined.

Councilmember Tam stated the amount to do a complete upgrade was provided; that she would like to nail down the amount that might be needed for a catastrophe.

Mr. Shemwell stated that he does not have an answer; a filter replacement that might cost \$60,000 could end up being a \$350,000 project to bring the system into compliance.

Councilmember Tam stated hoping nothing bad happens poses a difficulty when trying to budget.

Mayor Gilmore stated neither body knows whether funding would be available.

Councilmember Tam stated Councilmember deHaan is suggesting setting aside funds.

Councilmember deHaan stated that his contingency suggestion could be withdrawn.

Speakers: Mike Janvier, AMA; Don Krause, Alameda Island Aquatics; Ash Jones, Alameda; and Robert Rodd, Alameda.

Robert Ploss, Alameda Aquatics Task Force, gave a Power Point presentation.

In response to Councilmember deHaan's inquiry whether the County has mandated any repairs, Mr. Shemwell stated all items under compliance issues in the study should be considered a priority; there is not a County Health injunction directing a particular item be fixed.

Councilmember deHaan inquired whether the Aquatics Task Force would be interested in forming a fundraising foundation; stated the Boys & Girls Club has completed a \$9 million project.

Mr. Ploss responded the Task Force would love to entertain the idea and has prepared a drawing reflecting the size of the pool desired.

Following School Board questions, Councilmember deHaan noted having a 50-meter pool makes sense.

Vice Mayor Bonta inquired whether the community supports closing one swim center, to which Mr. Ploss responded the subject is touchy, would have impacts and would require other off site locations.

President Mooney noted if there were going to be any closures, the School Board would hold public meetings to address the matter.

(11-269) Discussion of Joint Lease Agreement of Fields

President Mooney inquired about the availability of City funds discussed when the Council and Board last met in September 2010.

The Acting City Manager stated the discussion was that the City would put forward several million dollars to help with facilities; \$2 million was supposed to come from a General Fund loan to Alameda Municipal Power (AMP), which cannot be repaid until telecom litigation is complete; there is a \$6 million funding deficit in the budget next year and for the following two to three years; funds returned from AMP would be needed for City services; \$1 million was to come from a tax on utility meters, which requires a vote of the people and does not seem feasible.

(11-270) Discussion of Joint Advisory Community for Recreational Facilities

President Mooney made brief introductory comments.

Mayor Gilmore inquired whether the joint committee would be set up to deal with only the pool issue; stated the City has the Recreation and Park Commission to deal with fields and facilities; Alameda citizens are on the Commission, which has regular meetings; there is not an entity which deals with the pools because the pools are on school property; establishing a committee to come up with a long term solution for pools is a great idea; expanding into fields and facilities would be more difficult.

President Mooney clarified the committee would just address pools right now.

Following Board discussion, Mayor Gilmore stated it [forming a committee] is a good idea; the Aquatics Task Force is a logical place to start, as well as the School District forms that are available to allow other individuals to help out; having the group is attractive because getting the Board of Education and City Council together is difficult; the group could meet more frequently, be more nimble, and ideas would come out faster and be brought back and discussed to make progress on the long term plan.

Vice Mayor Bonta stated it [the committee] is a good idea and should be a joint School and City project and committee; the Aquatics Task Force should be the starting point; community volunteers showing energy is excellent and they should be the voices in the room; the work group could meet more often to address the issue.

Mayor Gilmore stated the group should report back to the School Board and Council Subcommittee, which could provide more expedited feedback.

## ADJOURNMENT

There being no further business, Mayor Gilmore adjourned the meeting at 8:28 p.m.

Respectfully submitted,

Lara Weisiger  
City Clerk

The agenda for this meeting was posted in accordance with the Brown Act.